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CAMPAIGN FINANCE DIVISION

☒ **WAIVER REQUEST**
☐ **RECONSIDERATION REQUEST**

DATE: 6/25/2021

DOCKET #:

FILER INFORMATION

Name: La State Pelican PAC, LLC
Office:
Parish:
Election Date: 11/3/2020
Level of Office: PAC

7632 Lakes End
Baton Rouge LA
70810

REPORT INFORMATION

Name of Report: 10-G
Original Due Date: 11/25/2020
Date Filed: 3/17/2021
Activity Receipts: \$0
Expenditures: \$2,581.88
Funds at Close of Reporting Period: \$28,134.66

LATE FEE INFORMATION

Amount of Late Fee: \$3,000
Days Late: 112
Late Fee Order Received: 4/28/2021
Payment/Waiver Request Due Date: 5/18/2021
Waiver Request Received: 5/6/2021
Additional Information Requested:
- Medical
- Financial
- Other

COMMENTS: Waiver request was faxed in by Mr. Thomas Delahaye, chairperson and he states that the PAC is brand new and until this error they have consistently followed all regulations. He said the 10-G was only technically late that they disclosed all receipts and expenditures on all the reports they filed and they simply failed to file the correct report.

OTHER LATE FEE INFORMATION

Campaign Finance:

Other Outstanding Reports: No
Other Outstanding Late Fees: No
Prior Late Fees: No
Reassessed Late Fees: No

Disclosure Statements:

Other Outstanding Late Fees: No
Prior Late Fees: No

LOUISIANA STATE PELICAN PAC, LLC

7632 Lane's End
Baton Rouge, Louisiana 70810
225-933-3584 (telephone)
tdelahaye@cstmultifamilyrealestateservices.com (email)

May 5, 2021

VIA CERTIFIED MAIL # 7017 2620 0000 1401 1390

Louisiana Board of Ethics
Attention: Ms. Melissa Horn
Post Office Box 4368
Baton Rouge, Louisiana 70821

RE: REQUEST FOR WAIVER OF LATE FEE FOR 10-G CAMPAIGN FINANCE REPORT –
LOUISIANA STATE PELICAN PAC, LLC

Dear Ms. Horn:

I am in receipt of and enclose your letter of April 27, 2021 regarding the above matter. Please accept this letter as our request for the waiver of the late fee. We are requesting a waiver for the following reasons:

- Our PAC is brand new. Until this error, we have consistently followed all the regulations.
- We have filed all other reports timely.
- The 10-G report is only technically late. We disclosed all receipts and expenditures on all the reports we filed. We simply failed to file the correct report.
- We filed the amended report per the Ethics Board's request.
- The amendments were minor. We checked the wrong box and included donations and expenses that should not have been included. In other words, we disclosed more on this report than was necessary.
- Per the Ethic's request, we revised the report in a timely manner. The revisions we were required to make required us to remove some previously disclosed donations and expenditures.

ETHICS BOARD REC'D
MAY 12 '21 PM 1:29

Louisiana Board of Ethics
Attention: Ms. Melissa Horn
May 5, 2021
Page 2

In short, our filings followed the law's spirit of full disclosure and full transparency. We just filed the wrong report at the wrong time. We would ask that you reconsider what we consider a harsh penalty for a first-time offender.

With best regards, I remain

Sincerely yours,

LOUISIANA STATE PELICAN PAC, LLC

A handwritten signature in black ink, appearing to read "Thomas C. Delahaye", written over the printed name.

Thomas C. Delahaye, Chairperson/Treasurer

TCD:jt
Enclosure
cc: Mr. Stan Baudin
Mr. Chris Coffin



STATE OF LOUISIANA
DEPARTMENT OF STATE CIVIL SERVICE
LOUISIANA BOARD OF ETHICS

P. O. BOX 4368
BATON ROUGE, LA 70821
(225) 219-5600
FAX: (225) 381-7271
1-800-842-6630
www.ethics.la.gov

CERTIFIED MAIL

NO. 70202450000010754052

RETURN RECEIPT REQUESTED

April 27, 2021

La State Pelican PAC, LLC
Thomas C. Delahaye
7632 Lane's End
Baton Rouge, LA 70810

RE: Late fee assessment for November 3, 2020 Election
10-G Campaign Finance Disclosure Report filed 112 days late

Dear Mr. Delahaye:

Enclosed is an assessment of a late fee pursuant to La R.S. 18:1505.4 and La. R.S. 18:1511.4.1. Please submit a check or money order in the amount of **\$3,000** payable to the Treasurer of the State of Louisiana to P.O. Box 4368, Baton Rouge, LA 70821.

You have 20 days from receipt of this letter to dispute this assessment. You may elect to do either or both of the following:

1. You may submit your request for a waiver to the attention of the Louisiana Board of Ethics.

Waivers are handled by the Ethics Board. The Board of Ethics may reduce, suspend, or decline to waive a late fee assessment based on the cause shown by the person, candidate, or political committee. If you submit a request for a waiver of the late fee to the Board of Ethics, your request should contain details as to why, in your opinion, you have good cause why your report was not timely filed. Also, if you would like to appear before the Board of Ethics in connection with your request, you should state that in your letter. The request should be submitted to the attention of the Board of Ethics at the following address: P. O. Box 4368, Baton Rouge, LA 70821 or fax at (225) 381-7271.

2. You may appeal **the assessment** directly to the Ethics Adjudicatory Board (EAB).

Appeals to the EAB are proceedings before a three judge panel. The determination is made regarding whether the person, candidate, or political committee was required to file the report and whether the report was filed late. Mitigating factors are not considered during an EAB proceeding. The EAB does not have the authority to reduce, suspend, or waive a late fee assessment. If you choose to appeal the assessment to the EAB, you should submit your request for an appeal to the attention of the Executive Secretary of the Louisiana Board of Ethics at P. O. Box 4368, Baton Rouge, LA 70821 or fax at (225) 381-7271.

If you timely submit a waiver request or appeal, your name will not be posted on the website pending the result of your appeal. Furthermore, if you request an appearance, you will be notified of the place and time prior to the meeting.

If you do not **pay or dispute** the assessment of the late fee within 20 days from the receipt of this letter, the matter will be forwarded to the Attorney General's Office to pursue collection. If the matter is forwarded to the Attorney General's Office for collection, you may be responsible for all additional costs incurred. Additionally, late fees not paid by the due date will be posted on the agency website.

You should be aware that unpaid campaign finance fines, fees or penalties may have an adverse effect on your ability to run for public office in the future, as the Board of Ethics will object to your future qualifications for candidacy for public office pursuant to La. R.S. 18:491 and R.S. 18:492.

Sincerely,

Melissa Horn

STATE OF LOUISIANA LOUISIANA BOARD OF ETHICS
acting in its capacity as the
SUPERVISORY COMMITTEE ON CAMPAIGN FINANCE DISCLOSURE

In Re: La State Pelican PAC, LLC
November 3, 2020 Election

LATE FEE ASSESSMENT ORDER

WHEREAS, La State Pelican PAC, LLC, in its capacity as a political action committee, its committee's chairperson, and treasurer, Thomas C. Delahaye were required to file campaign finance reports pursuant to La. R.S. 18:1491.6.

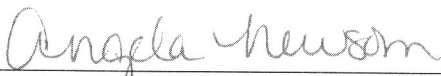
WHEREAS, La. R.S. 18:1505.1 provides that it is a violation of the Campaign Finance Disclosure Act to fail to timely file campaign finance reports.

WHEREAS, in accordance with La. R.S. 18:1491.6B(5), La State Pelican PAC, LLC was required to file a 10th Day Prior to General Report (10-G) by November 25, 2020. La State Pelican PAC, LLC filed the report on March 17, 2021 and was 112 days late.

WHEREAS, La. R.S. 18:1505.4A(2)(a)(v) provides that an automatic late fee of \$200 per day (not to exceed \$3,000) be assessed against La State Pelican PAC, LLC, its committee's chairperson, and treasurer, Thomas C. Delahaye for this late filing.

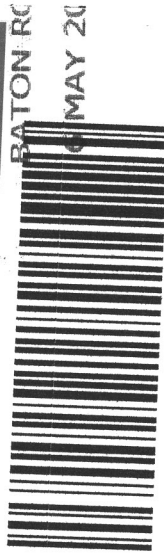
ACCORDINGLY, IT IS ORDERED that a late fee of \$3,000 is assessed against La State Pelican PAC, LLC, its committee's chairperson, and treasurer, Thomas C. Delahaye for failure to timely file a 10-G campaign finance disclosure report.

ORDER signed on the 27th day of April 2021 at Baton Rouge, Louisiana.



Angela Newsom, Director
Campaign Finance & Lobbying Division

7632 Lane's End
Baton Rouge, Louisiana 70810



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U.S. POSTAGE PAID
FCM LETTER
BATON ROUGE, LA
70810
MAY 06, 21
AMOUNT

\$7.00

R2305H129540-9

VIA CERTIFIED MAIL # 7017 2620 0000 1401 1390

Louisiana Board of Ethics
Attention: Ms. Melissa Horn
Post Office Box 4368
Baton Rouge, Louisiana 70821

70821-436868

